



February 9, 1999

HOUSE BILL No. 1194

DIGEST OF HB 1194 (Updated February 8, 1999 6:16 pm - DI 44)

Citations Affected: IC 20-7.5.

Synopsis: Fair share support by school employees. Provides that a school employee may be required to financially support a school employee organization through the payment of certain fees. (Current law provides that a school employee may not be required to join or financially support a school employee organization through the payment of certain fees.)

Effective: July 1, 1999.

Pelath, Stevenson

January 11, 1999, read first time and referred to Committee on Labor and Employment.
February 8, 1999, amended, reported — Do Pass.

HB 1194—LS 6658/DI 96+



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February 9, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1194

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-7.5-1-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) School
3 employees shall have the right to **do the following**:

4 (1) Form, join, or assist employee organizations. ~~to~~

5 (2) Participate in collective bargaining with school employers
6 through representatives of ~~their~~ **the school employees'** own
7 choosing. ~~and to~~

8 (3) Engage in other activities, individually or in concert, for the
9 purpose of establishing, maintaining, or improving salaries,
10 wages, hours, **and** salary and wage related fringe benefits. ~~and~~

11 (4) **Engage in** other matters as defined in sections 4 and 5 of this
12 chapter.

13 A school employee may ~~not~~ be required to ~~join or~~ financially support
14 **a school employee organization** through the payment of fair share
15 fees, representation fees, professional fees, or other fees. ~~a school~~
16 ~~employee organization. A rule, regulation, or contract provision~~
17 ~~requiring financial support from a school employee to a school~~

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1 ~~employee organization is void.~~

2 (b) School employers shall have the responsibility and authority to
3 manage and direct in behalf of the public the operations and activities
4 of the school corporation to the full extent authorized by law. Such
5 responsibility and activity shall include but not be limited to the right
6 of the school employer to **do the following:**

7 (1) Direct the work of ~~its~~ employees **of the school employer.**

8 (2) Establish policy through procedures established in sections 4
9 and 5 of this chapter.

10 (3) Hire, promote, demote, transfer, assign, and retain employees
11 through procedures established in sections 4 and 5 of this chapter.

12 (4) Suspend or discharge ~~its~~ employees **of the school employer**
13 in accordance with applicable law through procedures established
14 in sections 4 and 5 of this chapter.

15 (5) Maintain the efficiency of school operations.

16 (6) Relieve ~~its~~ employees **of the school employer** from duties
17 because of lack of work or other legitimate reason through
18 procedures established in sections 4 and 5 of this chapter. ~~and~~

19 (7) Take actions necessary to carry out the mission of the public
20 schools as provided by law.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1194, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line13, strike "join or".

and when so amended that said bill do pass.

(Reference is to HB 1194 as introduced.)

LIGGETT, Chair

Committee Vote: yeas 8, nays 6.

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